CLASSIFICATION OFFICE DECISION

Title of publication:	3420BFD3332BB1ECD916F8E6708C5C50
Other known title(s):	Not stated
OFLC ref:	1700214.007
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Commissioner of Police
Classification:	Objectionable.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	16 June 2017
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	16 June 2017

Summary of reasons for decision:

The computer image file exploits the nudity of a child to a degree that makes its availability likely to be injurious to the public good. The image is part of a series that depicts a prepubescent girl posing. The cropping and contrived manner of the photo gives it a sexual reading and means that the image exploits her nudity to a high degree. A classification of objectionable is therefore necessary to prevent the image being distributed for sexual purposes. This classification interferes with the right to freedom of expression set out in the New Zealand Bill of Rights Act 1990. However, this is an outcome that is consistent with Parliament's intention to limit the availability of images that exploit children's nudity, and is a reasonable limitation on the right to freedom of expression. The classification reflects the concern of a free and democratic society to protect its young and vulnerable members from exploitation.